REMARKS/ARGUMENTS

Claims 1, 10-16 and 19-23 are pending in this application. By this Amendment, Applicants amend claims 16 and 21.

Applicants appreciate the Examiner's indication that claims 1 and 10-15 are allowed. Applicants note that although claims 1 and 10-15 were indicated as being rejected on the Form PTO-326 of the outstanding Office Action, the Detail Action clearly indicates that claims 1 and 10-15 are allowed.

Claims 21-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mihara et al. (JP 6-208903). Claims 16 and 19-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by Iwao et al. (U.S. 6,593,844). Claims 21-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by Iwao et al. (U.S. 6,556,123). Applicants respectfully traverse the rejections of claims 16 and 19-23.

Claim 16 has been amended to recite:

> "A positive temperature coefficient thermistor comprising:
>
> a laminate including a plurality of thermistor layers stacked in a lamination direction and having a positive resistance temperature coefficient;
>
> first and second external electrodes disposed at different positions on an outer surface of the laminate; and
>
> a plurality of first internal electrodes and a plurality of second internal electrodes arranged so as to extend along predetermined interfaces between the plurality of thermistor layers inside the laminate and so as to be electrically connected to the first external electrode and the second external electrode, respectively, the first internal electrodes and the second internal electrodes being arranged alternately in the lamination direction so that a portion of the first internal electrodes and a portion of the second internal electrodes overlap each other while sandwiching the thermistor layers therebetween, at least one of the first and second internal electrodes which is positioned at least at an approximate center in the lamination direction of the portion of the laminate where the first and second internal electrodes are arranged including a portion thereof that is not provided with the electrode, the portion not provided with the electrode being positioned at least an approximate center along a direction that is substantially perpendicular to

the lamination direction of the portion of the laminate where the first and second internal electrodes overlap each other; wherein

the portion not provided with the electrode includes an opening provided in the internal electrode;

the opening is positioned at least at the center In the longitudinal and width directions of the laminate; and

the size of the opening is at least about 0.1 mm." (emphasis added)

Claim 21 has been amended to recite:

"A positive temperature coefficient thermistor comprising:

a laminate including a plurality of thermistor layers stacked in a lamination direction and having a positive resistance temperature coefficient;

first and second external electrodes disposed at different positions on an outer surface of the laminate; and

a plurality of first internal electrodes and a plurality of second internal electrodes arranged so as to extend along predetermined interfaces between the plurality of thermistor layers inside the laminate and so as to be electrically connected to the first external electrode and the second external electrode, respectively, the first internal electrodes and the second internal electrodes being arranged alternately in the lamination direction so that a portion of the first internal electrodes and a portion of the second internal electrodes overlap each other while sandwiching the thermistor layers therebetween, at least one of the first and second internal electrodes which is positioned at least at an approximate center in the lamination direction of the portion of the laminate where the first and second internal electrodes are arranged including a portion thereof that is not provided with the electrode, the portion not provided with the electrode being positioned at least an approximate center along a direction that is substantially perpendicular to the lamination direction of the portion of the laminate where the first and second internal electrodes overlap each other; wherein

the portion not provided with the electrode includes a cut portion provided in the internal electrode; and

the cut portion is positioned at least at the center In the longitudinal and width directions of the laminate." (emphasis added)

The Examiner alleged that that Iwao et al. ('844) teaches each and every feature recited in Applicants' claim 16, and that each of Mihara et al., Iwao et al. ('844) and Iwao

et al. ('123) teaches each and every feature recited in Applicants' claims 21. Applicants respectfully disagree.

Claim 16, as amended, recites the feature of "the opening is positioned **at least at the center** in the longitudinal and width directions of the laminate" (emphasis added), and claim 21, as amended, recites the feature of "the cut portion is positioned **at least at the center** in the longitudinal and width directions of the laminate" (emphasis added).

As seen in Figs. 18(a) and (b) of Iwao et al. ('844), Iwao et al. ('844) teaches gaps, which the Examiner alleged correspond to the opening recited in Applicants' claim 16 and the cut portion recited in Applicants' claim 21, that are clearly positioned at end portions of the laminate and spaced a substantial distance away from the center in the longitudinal direction of the laminate. Iwao et al. ('844) fails to teach or suggest **any** openings or cut portions that are positioned at the center in the longitudinal direction of the laminate, or that openings or cut portions could or should be positioned at the center in the longitudinal direction of the laminate.

Thus, Iwao et al. ('844) certainly fails to teach or suggest the feature of "the opening is positioned **at least at the center** in the longitudinal and width directions of the laminate" (emphasis added) as recited in Applicants' claim 16, or the feature of "the cut portion is positioned **at least at the center** in the longitudinal and width directions of the laminate" (emphasis added) recited in Applicants' claim 21.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 16 and 21 under 35 U.S.C. § 102(e) as being anticipated by Iwao et al. ('844).

Mihara et al. teaches a plurality of cut portions 6 and 8 that are clearly positioned along edges of the electrodes and spaced a substantial distance away from the center in the width direction of the laminate (see, for example, Drawing 3 of Mihara et al.). Mihara et al. fails to teach or suggest **any** cut portions that are positioned at the center in the width direction of the laminate, or that cut portions could or should be positioned at the center in the width direction of the laminate.

Thus, Mihara et al. certainly fails to teach or suggest the features of "the cut portion is positioned **at least at the center** in the longitudinal and width directions of the laminate" (emphasis added) recited in Applicants' claim 21.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 21 under 35 U.S.C. § 102(b) as being anticipated by Mihara et al.

As seen in Figs. 16(a) and (b) of Iwao et al. ('123), similar to Iwao et al. ('844), Iwao et al. ('123) teaches gaps 57a, which the Examiner alleged correspond to the cut portion recited in Applicants' claim 21, that are clearly positioned at end portions of the laminate and spaced a substantial distance away from the center in the longitudinal direction of the laminate. Iwao et al. ('123) fails to teach or suggest **any** gaps or cut portions that are positioned at the center in the longitudinal direction of the laminate, or that gaps or cut portions could or should be positioned at the center in the longitudinal direction of the laminate.

Thus, Iwao et al. ('123) certainly fails to teach or suggest the feature of "the cut portion is positioned **at least at the center** in the longitudinal and width directions of the laminate" (emphasis added) recited in Applicants' claim 21.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 21 under 35 U.S.C. § 102(e) as being anticipated by Iwao et al. ('123).

Accordingly, Applicants respectfully submit that Mihara et al., Iwao et al. ('844) and Iwao et at al. ('123), applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in Applicants' claims 16 and 21.

In view of the foregoing amendments and remarks, Applicants respectfully submit that Claims 16 and 21 are allowable. Claims 19, 20, 22 and 23 depend upon claims 16 and 21, and are therefore allowable for at least the reasons that claims 16 and 21 are allowable. Claims 1 and 10-15 are allowed, as indicated by the Examiner.

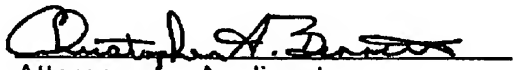
In view of the foregoing amendments and remarks, Applicants respectfully submit

that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Date: October 14, 2005



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